

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STANLEY PATRICK WEBER,

Defendant.

Criminal Docket
No. CR 18-14-GF-BMM

Partial Transcript of Trial with a Jury
Testimony of Gilbert James Running Crane

Missouri River Federal Courthouse
125 Central Avenue West
Great Falls, MT 59404
Wednesday, September 5th, 2018
9:09 a.m. to 12:06 p.m.

BEFORE THE HONORABLE BRIAN MORRIS

UNITED STATES DISTRICT COURT JUDGE

Yvette Heinze, RPR, CSR
United States Court Reporter
Missouri River Federal Courthouse
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Proceedings recorded by machine shorthand
Transcript produced by computer-assisted transcription

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GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

PROCEEDINGS

(Open court.)

(Defendant present.)

(Whereupon, during the above-entitled trial, testimony of Ronald Joseph Four Horns proceeded as follows:)

THE COURT: Mr. Starnes, government's next witness.

MR. STARNES: Thank you, Your Honor. The United States calls Gilbert James Running Crane to the witness stand.

Your Honor, Mr. Running Crane is here. Apparently, he stepped into the restroom before we called him.

THE COURT: All right. We'll be at ease for a moment.

(Court at ease.)

(Witness enters courtroom.)

GILBERT JAMES RUNNING CRANE,
called for examination by counsel for the government, after having been first duly sworn to testify the truth, the whole truth, and nothing but the truth, testified as follows:

THE COURT: Good morning, sir. Would you please state your full name.

THE WITNESS: Gilbert James Running Crane.

THE COURT: Would you scoot up to the microphone, please. Thank you, sir.

Go ahead, Mr. Starnes.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 MR. STARNES: Thank you, Your Honor.

2 DIRECT EXAMINATION

3 BY MR. STARNES:

4 Q. Good morning, sir. Can you hear me okay?

5 A. Yeah.

6 Q. Would you please -- well, what name do you go by?

7 A. Big James, they call me.

8 Q. They call you Big James?

9 A. Yeah.

10 Q. Where are you from?

11 A. Browning.

12 Q. Were you born in Browning?

13 A. Born in Creston.

14 Q. How long did you live in Browning for?

15 A. My whole life.

16 Q. Are you an enrolled member of a federally recognized tribe
17 of Indians?

18 A. You mean Blackfeet?

19 Q. You're enrolled in Blackfeet?

20 A. Uh-huh.

21 Q. And, sir, if you could do me a favor and verbalize your
22 responses throughout questioning today. Okay?

23 I want to talk to you a little bit about growing up
24 in Browning. What was that like for you?

25 A. It was all right.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. Was it an easy place to grow up?

2 A. Not too easy.

3 Q. Not too easy? Why is that?

4 A. I guess because my family was -- my mom was on drugs and
5 stuff like that.

6 THE COURT: Sir, could you speak a little bit closer
7 to the microphone. Thank you.

8 THE WITNESS: Okay.

9 THE COURT: You can slide that towards you. There
10 you go. Thank you very much.

11 BY MR. STARNES:

12 Q. So, James, if you could speak into that microphone. That
13 helps amplify your voice so the ladies and gentlemen of the
14 jury can hear what you have to say today. Okay?

15 A. Yeah.

16 Q. How are you feeling today?

17 A. Tired.

18 Q. Are you nervous at all?

19 A. Yeah.

20 Q. Why is that?

21 A. Because of what I got to talk about.

22 Q. Okay. Well, we'll get to that in just a minute. But we
23 were just talking about growing up in Browning. So I want you
24 to tell me a little bit more about that.

25 What was life like in Browning for you?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. It was tough.

2 Q. Why is that?

3 A. Drugs and alcohol and the way I was raised. My mom was on
4 drugs and...

5 Q. Okay. Were you somebody that was involved with drugs and
6 alcohol as a kid?

7 A. Yeah.

8 Q. Which? Drugs or alcohol?

9 A. Pills, beer, and whatever. Coke.

10 Q. When did that start?

11 A. Probably when I was about 15.

12 Q. Do you recall meeting an individual when you were growing
13 up in Browning that is named Dr. Stanley Patrick Weber?

14 A. Yeah, I do.

15 Q. How did you meet that individual?

16 A. Through some friends.

17 Q. Okay. The individual that you know as Dr. Weber, do you
18 see that individual in the courtroom today?

19 A. Yeah.

20 Q. Would you please indicate where that individual is located
21 by pointing to that individual and describing an article of
22 clothing that that individual is wearing?

23 A. I don't recognize him right now.

24 Q. You don't recognize him right now? Let me do something
25 for you.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 MR. STARNES: If we could have Government's
2 Exhibit 6, please, Madam Clerk.

3 (Displayed.)

4 BY MR. STARNES:

5 Q. James, do you see the screen in front of you?

6 A. Yeah.

7 Q. What's on that screen?

8 A. Dr. Weber.

9 Q. Do you recognize the individual in that picture?

10 A. Uh-huh.

11 Q. Okay. And do you see that individual in this courtroom?

12 A. Yeah.

13 Q. Okay. Now that you have had a chance to look at that
14 photograph and see that individual, could you point to where
15 the individual you know as Dr. Weber is located?

16 A. (Complying.) There.

17 Q. And could you please describe an article of clothing that
18 that individual is wearing?

19 A. Suit and the tie.

20 Q. What color tie?

21 A. Gray or blue.

22 Q. I would ask you this. There's four people sitting at this
23 table over here. Which end of the table is he? Or is he in
24 the middle? The end closest to me?

25 A. (Nodding.)

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. And I see you are nodding your head "yes." Is that a
2 "yes"?

3 A. Yeah.

4 MR. STARNES: Your Honor, the record will reflect
5 that Mr. Running Crane has identified the defendant as
6 Dr. Weber?

7 THE COURT: The record will reflect.

8 BY MR. STARNES:

9 Q. James, I want to talk to you about your interactions with
10 Dr. Weber when you were growing up. How old do you think you
11 were when you met him?

12 A. I'm not really too sure. It was quite a while ago. But I
13 was pretty young.

14 Q. Do you think you were in high school?

15 A. Yeah, about, maybe.

16 Q. How old were you around that time?

17 A. 15, 16 years old.

18 Q. 15 or 16 years old.

19 Okay. You said you met Dr. Weber where?

20 A. Through some friends. They were already hanging out with
21 him, and they are the ones that brought me up there.

22 Q. Who were some of these friends?

23 A. Josh Spotted Eagle, John Young Running Crane, and a few
24 other people.

25 Q. Okay. Where were these friends of yours hanging out with

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Dr. Weber?

2 A. His house.

3 Q. At Dr. Weber's house?

4 A. Uh-huh.

5 Q. Where was Dr. Weber's house located?

6 A. I don't know what they were called, but it's right by the
7 hospital.

8 Q. Right by the hospital.

9 Was his house in Browning?

10 A. Yeah.

11 Q. Was it on the Blackfeet Indian Reservation?

12 A. Yes.

13 Q. Okay. You said some of your friends were hanging out at
14 his house. Will you tell us what you mean by that?

15 A. They'd go up there and play video games and stuff like
16 that. He was taking them to eat pizza and taking them hiking
17 and stuff like that.

18 Q. Okay. So at some point did you begin to hang out at
19 Dr. Weber's house?

20 A. Yes.

21 Q. When did that take place?

22 A. I don't remember.

23 Q. Around the same age?

24 A. Yeah.

25 Q. Okay. You believe you were still in high school?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. Yeah.

2 Q. Is it possible you were younger than high school?

3 A. Could have been, yeah. Might have been middle school too.

4 I don't know.

5 Q. Might have been middle school.

6 All right. So when you started hanging out at

7 Dr. Weber's house, where would you go inside his house?

8 A. Just in the living room.

9 Q. And what would you do inside the house?

10 A. Play games and -- I can't remember what kind of game
11 system he had, but we used to play games, and we'd listen to
12 music. He had a badass house system and just hang out there.

13 Q. So you would listen to music on his stereo system?

14 A. Yeah.

15 Q. And I think you said you would play video games as well?

16 A. Yes.

17 Q. Was there ever anything offered to you at Dr. Weber's
18 house other than entertainment?

19 A. Food, pop, you know, sometimes alcohol.

20 Q. What kind of food?

21 A. Whatever he had. He had ice cream and shit so, you know,
22 ice cream and stuff like that and...

23 Q. Did he ever have any snacks?

24 A. Yeah.

25 Q. What kind of snacks?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. Chips and whatever.

2 Q. Okay. And I think you said there were some beverages
3 there. I think you said pop?

4 A. Yeah.

5 Q. So like different soda pops, that kind of thing?

6 A. Yeah, he had a lot of pop.

7 Q. And you also mentioned that alcohol was made available?

8 A. Yeah.

9 Q. What kind of alcohol?

10 A. It was different kinds. He had a lot of wine around.
11 Vodka. That's what we wanted.

12 Q. Would you drink alcohol at Dr. Weber house?

13 A. Yeah.

14 Q. Who would give the alcohol to you?

15 A. Dr. Weber.

16 Q. Were other kids drinking, or was it just you?

17 A. No, there were other kids drinking. We all drank there.

18 Q. How often would you drink at Dr. Weber's house?

19 A. A lot, I guess.

20 Q. Do you know how many times you went to his house?

21 A. No.

22 Q. Was it more than once?

23 A. Yeah.

24 Q. Do you think it was more than five or ten times?

25 A. Yeah.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. Okay. Did you always go with other people?

2 A. Yeah, always my friends.

3 Q. And would you drink every time you went to Dr. Weber's
4 house?

5 A. No.

6 Q. How often would you drink there?

7 A. I don't know.

8 Q. How would you get alcohol from Dr. Weber?

9 A. It was usually there.

10 Q. It was just there available?

11 A. (Nodding.)

12 Q. And I see you are nodding your head. Is that a "yes"?

13 A. Yes.

14 Q. All right. Did you ever go -- you talked about Dr. Weber
15 taking some of your friends on trips. Did you ever go on trips
16 with Dr. Weber?

17 A. Yeah.

18 Q. Where did you go?

19 A. Hiking, getting pizza, just, yeah.

20 Q. And were these trips -- were they on the Blackfeet Indian
21 Reservation, or were they sometimes off the reservation?

22 A. Cut Bank and some of the places around.

23 Q. So you would go to Cut Bank.

24 Do you know how far Cut Bank is from Browning?

25 A. Around 31 miles.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. 31 miles or so.

2 Were there any girls around when you'd hang out at
3 Dr. Weber's house?

4 A. No.

5 Q. How about any adults? Did you ever see any adults around?

6 A. No.

7 Q. Any other adults there when you were drinking alcohol?

8 A. No.

9 Q. Did you ever get drunk at Dr. Weber's house?

10 A. Yeah.

11 Q. How many times?

12 A. I don't know.

13 Q. Was Dr. Weber there each time you drank alcohol?

14 A. Not each time, but...

15 Q. Did you ever spend the night at Dr. Weber's house?

16 A. Yeah, a few times.

17 Q. How did that begin?

18 A. Just getting drunk and not going home.

19 Q. Would you be the only one that would stay at Dr. Weber's
20 house --

21 A. No.

22 Q. -- when you would have too much to drink?

23 A. No.

24 Q. Other individuals would be there?

25 A. Yeah.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. How often do you think you would have too much to drink
2 and decide to stay at Dr. Weber's house?

3 A. I think it was only a couple times.

4 Q. Did you ever have any interaction with Dr. Weber that made
5 you uncomfortable?

6 A. Yeah.

7 Q. Okay. And I want to talk to you about those, James.
8 Okay?

9 So tell us about one of these interactions that you
10 had with Dr. Weber. How did that go down?

11 A. I don't want to.

12 Q. I'm sorry? You said you don't want to talk about it? Why
13 is that, James?

14 A. I don't feel comfortable.

15 Q. Uncomfortable?

16 How does it make you feel thinking about that?

17 A. Not too -- not too good.

18 Q. Well, we'll come back to this in just a minute. But
19 before coming here today -- and I don't want you to get into
20 those prior statements, but I just want to ask you if you ever
21 talked to anybody about what happened to you --

22 A. Never.

23 Q. -- before today.

24 Well, did you ever meet with an individual named
25 Curt Muller, Special Agent Curt Muller?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. That was the first time I ever talked to anybody about it.

2 Q. Do you remember, approximately, when that was?

3 A. Shit, I don't know. A year ago maybe.

4 Q. About a year ago. That was the first time you spoke with
5 Special Agent Curt Muller?

6 A. I think, yeah, almost a year ago, yeah.

7 Q. Other than speaking with Special Agent Muller and maybe
8 preparing for trial, had you ever told anybody about things
9 that happened to you at Dr. Weber's house before?

10 A. No.

11 Q. Why not?

12 A. It's not something you talk about.

13 Q. What do you mean it's not something you talk about?

14 A. It's not something you talk about.

15 Q. It's not something you talk about in Browning?

16 A. Anywhere.

17 Q. All right. Well, James, you realize you are under oath
18 here today; right?

19 A. Yeah.

20 Q. And we talked about the possibility that you would be --
21 or not the possibility but that you would be asked to talk
22 about some of the things that happened to you; right?

23 A. Yeah.

24 Q. I know it's difficult for you, but I'm going to ask you to
25 go ahead and tell us about some of the things that happened to

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 you at Dr. Weber's house. Okay?

2 A. Okay.

3 Q. All right. So I'm going to try to help you through this
4 best I can. Am I correct in understanding there was about two
5 occasions that you had interactions with Dr. Weber at his home
6 that made you feel uncomfortable?

7 A. Yeah.

8 Q. Let's just talk about that first occasion. Don't worry
9 about the jury. Don't worry about anybody else. Look at me.
10 Okay, James? Just tell me about that first interaction.

11 What happened?

12 A. Um, he asked me to give him oral sex.

13 Q. Okay. Where were you when that happened?

14 A. In his living room.

15 Q. And where in the living room were you?

16 A. On the couch.

17 Q. What were you doing when he made that request?

18 A. I was playing a video game.

19 Q. What condition was Dr. Weber in?

20 A. He was intoxicated.

21 Q. How did you know that?

22 A. Because he just came in, and you could tell he was drunk.

23 Q. Was he slurring his words at all?

24 A. Yeah, little bit.

25 Q. Could you smell alcohol on him?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. I didn't get that close.

2 Q. Okay. When he asked you to give him oral sex, what was he
3 doing?

4 A. Just walked in and he asked me a few questions, you know,
5 how I was doing, before that. And then he just came out and
6 asked me.

7 Q. Where was his hands when he was asking you that question?

8 A. Like he was going to unzip his pants or something.

9 Q. Okay. Do you know how far away you were from him when he
10 made this request?

11 A. Three or four feet.

12 Q. Was anybody else around at the time?

13 A. No. They just left.

14 Q. So there had been some people at the home earlier?

15 A. Uh-huh.

16 Q. Is that a "yes"?

17 A. Yes.

18 Q. Sorry. Thank you.

19 So there were some people at the home with you
20 earlier, and they left. Were those people your friends?

21 A. Yeah.

22 Q. Okay. So you're the only one that was there when
23 Dr. Weber made this request?

24 A. Yeah.

25 Q. How did you react when Dr. Weber made that request?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. I said, "Fuck that." And I left.

2 Q. Okay. And do you remember, again, how old you were around
3 this time?

4 A. No, I don't remember.

5 Q. What year were you born in?

6 A. '81.

7 Q. 1981.

8 And what month?

9 A. XXXXXXXX.

10 Q. XXXXXXXX of 1981. Okay.

11 And you were at Dr. Weber's home in Browning when he
12 made this request?

13 A. Yes.

14 Q. Now, I want to talk to you about a second occasion at
15 Dr. Weber's house. Can you tell us about the second time that
16 you had an interaction with Dr. Weber that made you feel
17 uncomfortable?

18 A. I woke up, and he was rubbing.

19 Q. Where was he rubbing you?

20 A. He was touching my -- my junk, or whatever you want to
21 call it.

22 Q. Okay. So you're using the term "junk." Is that a word
23 that you use to describe the word penis?

24 A. Yeah.

25 Q. Okay. And where were you when this happened?

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 A. Laying on the couch.

2 Q. Whose couch?

3 A. Dr. Weber's.

4 Q. How did you end up on Dr. Weber's couch?

5 A. I fell asleep.

6 Q. Had you been drinking that day?

7 A. Yeah, I think I was, yeah.

8 Q. You think you had been drinking.

9 Do you know if anybody else had been at the house
10 drinking with you that day?

11 A. There were a few of us. I can't remember who it was,
12 maybe Josh and James and Porky and there were a few people.

13 Q. Okay. And was it morning or night when you woke up?

14 A. It was still night.

15 Q. How do you know that?

16 A. Because when I left, it was nighttime.

17 Q. Okay. So you fell asleep on Dr. Weber's couch. You had
18 been drinking. To your knowledge was anybody else in the home
19 at that point?

20 A. I don't know.

21 Q. Don't know.

22 Okay. You said that you woke up because Dr. Weber
23 was touching you. And you used the phrase "junk." I'll use
24 the term "penis."

25 A. Uh-huh.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. Where was he touching your penis?

2 A. Just the whole thing was -- like the penis, but it was --
3 he was rubbing my...

4 Q. When you say, "he was rubbing," what do you mean by that?

5 A. Just -- I don't know. Whatever it means. I don't know.

6 Q. Okay. So he had his hand -- and was his -- it was
7 physically touching your penis?

8 A. No, it was on top of the pants.

9 Q. On top of your pants.

10 What kind of pants were you wearing?

11 A. I think jean trunks.

12 Q. Jean trunks.

13 And how do you know it was Dr. Weber who was touching
14 your penis?

15 A. Because I seen him.

16 Q. Okay. Do you know if he saw you look at him?

17 A. Yeah.

18 Q. How did he react?

19 A. He stepped back like he was surprised I woke up.

20 Q. What was he doing while he was touching your penis? Or
21 were you able to see if he was doing anything while he was
22 touching your penis?

23 A. He was touching himself.

24 Q. Did he have -- or what was he wearing at the time?

25 A. Just a shirt.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. What about pants? Was he wearing any pants?

2 A. No pants.

3 Q. Was he wearing any underwear?

4 A. No.

5 Q. And you said he was touching himself?

6 A. Yes.

7 Q. How was he touching himself?

8 A. I don't know, just touching himself.

9 Q. How did you react when you realized that it was Dr. Weber
10 touching you?

11 A. I covered my head.

12 Q. While you were still laying on the couch?

13 A. Yes.

14 Q. How did you cover your head?

15 A. With a blanket.

16 Q. Did Dr. Weber continue to touch you after you covered your
17 head --

18 A. No.

19 Q. -- or did he stop at that point?

20 A. He stopped, yeah.

21 Q. Okay. And you said, I think, that he stepped back at that
22 point?

23 A. Uh-huh.

24 Q. Did you say anything to him?

25 A. No.

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 Q. Did he say anything to you?

2 A. No.

3 Q. What were you feeling at that time?

4 A. Scared.

5 Q. What did you do?

6 A. Covered my head.

7 Q. Was there a point in time where you were able to leave?

8 A. Yeah, he walked away. He went in his bedroom or
9 something.

10 Q. And after he left, what did you do?

11 A. I took off -- took out his door.

12 Q. After that happened, did you ever return to Dr. Weber's
13 house?

14 A. Never.

15 Q. Why not?

16 A. Why would I go back?

17 Q. What's it like having to talk about this, James?

18 MR. STEINBERG: Objection. Relevance.

19 THE COURT: Pardon?

20 MR. STEINBERG: Objection. Relevance.

21 THE COURT: Overruled.

22 BY MR. STARNES:

23 Q. What's it like having to talk about this, James?

24 A. It's pretty tough.

25 Q. Okay. Bear with me one moment. That may be all the

GILBERT JAMES RUNNING CRANE - DIRECT EXAMINATION BY MR. STARNES

1 questions I have for you.

2 May I have just a moment, Your Honor?

3 THE COURT: You may.

4 (Off-the-record discussion between Ms. Suek and
5 Mr. Starnes.)

6 BY MR. STARNES:

7 Q. James, there is something else I need to ask you about.

8 Was there -- did you ever talk to Dr. Weber about what happened
9 to you?

10 A. Never.

11 Q. Did he ever -- did you ever have any interactions with him
12 after this occurred?

13 A. I mean, after the first time, he pulled me aside and asked
14 if I told anybody. That's the only time I ever talked to him.
15 After the second time, I never been up there. Never seen him
16 again.

17 Q. Okay. So after the first time, when Dr. Weber asked you
18 for oral sex, he talked with you about that?

19 A. He didn't talk to me about it. He just asked if I told
20 anybody.

21 Q. Did he give you anything during that conversation?

22 A. He gave me some money once.

23 Q. He gave you money?

24 A. Uh-huh.

25 Q. Do you know how much money?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. No, I think it was, like, 20 bucks.

2 Q. Okay. Did he ask you not to tell anyone?

3 A. Not really. Just asked if I did.

4 Q. Do you know why he gave you \$20?

5 A. I don't know.

6 MR. STEINBERG: Objection.

7 THE COURT: Overruled.

8 MR. STEINBERG: Calls for speculation.

9 THE COURT: Overruled. If he knows he can answer.

10 Overruled. Go ahead.

11 BY MR. STARNES:

12 Q. Do you want me to ask the question again, James?

13 A. I don't know.

14 Q. You don't know why he gave you the --

15 A. I don't know why.

16 Q. Okay. Thank you. I have no further questions. Sit
17 tight, James.

18 THE COURT: Cross-examination.

19 CROSS-EXAMINATION

20 BY MR. STEINBERG:

21 Q. Good morning, sir.

22 A. Good morning.

23 Q. I'd like to ask you a few questions. Okay? And if you
24 don't understand my questions, just tell me. I'll try to
25 rephrase them --

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. All right.

2 Q. -- so we're on the same page. Okay?

3 A. Yeah.

4 Q. So, first off, I want to start with Browning. You said it
5 was tough growing up there; correct?

6 A. Yeah.

7 Q. And it's a tough place to live; correct?

8 A. Yeah.

9 Q. What was the population in those days? Do you know?

10 A. I don't know.

11 Q. About a thousand?

12 A. I don't know. I was just a little kid. I didn't worry
13 about how much people stayed in Browning.

14 Q. Okay. Is it fair to say that the community is largely
15 made up of indigenous population?

16 A. Yeah.

17 Q. And that white people kind of stick out like a sore thumb?

18 A. I don't know. I never paid attention to anything like
19 that.

20 Q. Well, did people make fun of you for going over to
21 Dr. Weber's house?

22 A. No.

23 Q. So no one ever said anything about, "Hey, why are you
24 going over to his house?"

25 A. No.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. How many of you would regularly go over there?

2 A. About three or four, maybe five of us.

3 Q. Who were they? Do you remember?

4 A. I already told you.

5 Q. Who were they? I'm sorry. I didn't hear that?

6 A. James, Josh, Porky, yeah.

7 Q. Do you remember their last names?

8 A. James Running Crane, Josh Spotted Eagle, Joe Calf

9 Looking -- they call him Porky -- and I can't recall any of the
10 other names. There was other kids there.

11 Q. How about Wes?

12 A. Wes Spotted Eagle, yeah.

13 Q. And so if I said to you that there were probably, like,
14 most times five or six different people there?

15 A. Most times, yeah.

16 Q. And they were members of the community at Browning;
17 correct?

18 A. Yes.

19 Q. And it was basically a place where you guys could hang
20 out; correct?

21 A. Yeah.

22 Q. And it was a place where you felt safe; correct?

23 A. It was just a place to hang out and get drunk and get what
24 we wanted.

25 Q. And you'd go there every day?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Not every day.

2 Q. Most of the time, say, in the summer?

3 A. Yeah.

4 Q. So every day in the summer we'll say?

5 A. I wouldn't say that either.

6 Q. What would you say? Two days a week? Three days a week?

7 Help me out here.

8 A. It was a lot.

9 Q. Okay. If I said probably five, at least five days a week,
10 would you agree?

11 A. Maybe.

12 Q. And I'm going to try to pinpoint the time frame. What
13 year are we talking about? Do you know?

14 A. I don't remember.

15 Q. And would you agree, if you were born in '81, so if you
16 were 15 or 16 -- I'm trying to do the math in my head -- that
17 would make it '96 or '97?

18 A. I guess.

19 Q. And they called you Big James; right?

20 A. They used to.

21 Q. That's because you were a --

22 A. I was a big kid, yeah.

23 Q. How much would you say you weighed when you were 15 or 16?

24 A. About 215.

25 Q. 215?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Yeah, or bigger.

2 Q. Or bigger.

3 And how tall were you?

4 A. About five nine.

5 Q. And in terms of when you were 15 or 16, were you living at
6 home?

7 A. Yeah. Actually, I think I was living with my grandma.

8 Q. Okay. And your grandmother wasn't using drugs or alcohol;
9 correct?

10 A. No.

11 Q. And how often would you say that you spent the night at
12 Dr. Weber's during '96, '97?

13 A. Shoot, I can't remember. More than a couple of times
14 maybe.

15 Q. Just a couple times?

16 A. Yeah.

17 Q. So less than three?

18 A. Maybe more than that. I don't know. Like I said, this is
19 over 27 years ago.

20 Q. I know.

21 Would other -- you've named some individuals. Would
22 those other individuals stay there as well, or was it just --

23 A. Yeah.

24 Q. And did any of those young men ever go in to Dr. Weber's
25 bedroom?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. I think a few of them slept in there sometimes.

2 Q. I'm sorry?

3 A. A few of them slept in there sometimes.

4 Q. Slept in his bedroom.

5 And do you remember who they were?

6 A. No.

7 Q. Do you remember being interviewed and saying that no one
8 ever slept in his bedroom that only Dr. Weber did?

9 A. No. I'm pretty sure I told them -- that a few times that
10 there was some kids that stayed in his room.

11 Q. Do we know who they were? It's important --

12 A. I said no. I don't remember. I remember, yeah, there was
13 people who would sleep in his room.

14 Q. And would he be there?

15 A. No.

16 Q. So he wouldn't be there when they'd sleep in his room?

17 A. No.

18 Q. Am I right?

19 You have to answer out loud. I'm so sorry.

20 A. Oh, I'm -- I can't remember. Ask it.

21 Q. When those individuals that you -- although you don't
22 remember who they were, when they would sleep in Dr. Weber's
23 room, am I right, Dr. Weber would not be there?

24 A. Actually, that's when he would be out drinking and stuff.

25 Q. Okay. And was he somebody that you saw intoxicated a lot?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Yeah, a few times. More than a few times.

2 Q. And when he would come home, would those individuals still
3 be in his bedroom?

4 A. Actually, I left most of the time.

5 Q. Okay. You left. So then you don't know?

6 A. I don't know if they were still in his bedroom or not.

7 Q. Now, do you know the Four Horns family?

8 A. I know of them. Don't know too much of them.

9 Q. Okay. And they grew up about in the same community as
10 you; correct?

11 A. I don't know.

12 Q. In Browning?

13 A. I don't know. I don't know too much about them.

14 Q. Okay. So you weren't in school with any of the Four Horns
15 boys?

16 A. Yeah, I remember the Four Horns boys.

17 Q. Were you ever in school with them?

18 A. Yeah.

19 Q. Which one?

20 A. I don't know their names.

21 Q. How big was your class when you went to school in those
22 days? 10? 11?

23 A. No.

24 Q. How many?

25 A. There was a lot.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. And --

2 A. I didn't go to school in Heart Butte. It was in Browning.

3 Q. I'm sorry? You didn't go to school in Browning?

4 A. I said I didn't go to school in Heart Butte. I was in
5 Browning.

6 Q. Okay. Is that where they went to school?

7 A. I don't know.

8 Q. All right. Now, in terms of the kids that were there,
9 they would help themselves to alcohol when Dr. Weber wasn't
10 home?

11 A. Yeah, if he wasn't there. But if he was there, he offered
12 it so -- but he showed us where it was at, and he purchased it.

13 Q. But my question is would you guys take his alcohol when he
14 wasn't there?

15 A. Yeah.

16 Q. And would you guys be able to go to his house and get into
17 the house when he wasn't there?

18 A. Yeah, he showed us which door to use.

19 Q. And that was for all of you?

20 A. Yeah.

21 Q. And so am I correct that probably 50 percent of the time
22 you guys would go over there and Dr. Weber wouldn't be there?

23 A. I don't know.

24 Q. A number of times?

25 A. I don't know if it was 50 percent. I don't know.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. Would you agree a number of times we wouldn't be there?

2 A. Yes, there was -- there were times he wasn't there.

3 Q. And you started using drugs at about this time; correct?

4 A. Yeah.

5 Q. And was it mainly coke? Was is methamphetamine? What was
6 it, sir?

7 A. No. I ain't never heard of meth back then.

8 Q. So it was mainly cocaine?

9 A. Yeah.

10 Q. Anything else?

11 A. Actually, you know, it was mainly marijuana.

12 Q. Because you --

13 A. The first stuff we started messing with, or I started
14 messing with.

15 Q. Because you had said pills, and so I was thinking --

16 A. Yeah.

17 Q. What were the pills? Because marijuana usually doesn't
18 come in pill form nor does cocaine.

19 A. I guess, Loratabs, and whatever you call them.

20 Q. Opiates?

21 A. Yeah.

22 Q. And Dr. Weber never gave you opiates, did he?

23 A. Not that I can remember.

24 Q. And Dr. Weber never gave you any other drugs, did he?

25 A. No.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. Did you ask him for drugs?

2 A. Never asked him for drugs, just money to buy them.

3 Q. And he gave you money?

4 A. Yeah.

5 Q. And so you said, "Hey, I need money to buy drugs"?

6 A. Or get some weed or something.

7 Q. So what's the most money he ever gave you?

8 A. At the time, he didn't give me nothing until after.

9 Q. So he gave you money how many times?

10 A. Once.

11 Q. And that was the \$20 you talked about?

12 A. Yeah.

13 Q. Because I thought you -- and I might have misheard you. I
14 thought you said that you would ask him for money to go buy
15 drugs?

16 A. I didn't say just me. I said we would ask him.

17 Q. Who was --

18 A. So it wasn't me. It was, yeah --

19 Q. Who else -- I'm sorry. I shouldn't interrupt you. Go
20 ahead.

21 A. No. I shouldn't interrupt you. Go ahead.

22 Q. Thank you. You are very kind.

23 Who were the people? When you said "we," who else
24 would ask him for money?

25 A. My friends.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. What were their names?

2 A. I'm not going to say them again. I already told you.

3 Q. Well, you kind of have to because -- and you shouldn't --
4 so I could put your mind at ease, because this is so long ago,
5 you don't have to worry about them being prosecuted for that
6 crime. Okay?

7 So my question is who was it -- which one of your
8 friends said, "Hey, Dr. Weber, we need money --"

9 A. They all did. Everybody asked him because he would give
10 them money all of the time. This is when I first started
11 hanging out there, so I didn't know the dude.

12 Q. So the two Spotted Eagle boys?

13 A. Yeah.

14 Q. And who else? James Young?

15 A. Yeah.

16 Q. And they would all ask for money for drugs?

17 A. Not really for drugs, but just ask him for money in
18 general. And, yeah, a lot of times it was -- you know, you get
19 a bag or something like that, and, yeah.

20 Q. So you would go to Dr. Weber and say, "Hey --"

21 A. I wouldn't.

22 Q. I mean, when I you say "you" --

23 A. Jeez.

24 Q. I mean you collectively. I'm sorry. When I say "you," so
25 we're clear --

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Quit using -- yeah, quit saying "you."

2 Q. Okay. When the rest -- when all of the guys -- is that
3 better?

4 A. Yeah, that's better.

5 Q. Okay. When all of the guys would ask, were you part of
6 that group?

7 A. I wouldn't ask him, but I was there.

8 Q. Okay. And what would they say?

9 A. I just told you.

10 Q. They would say, "Hey, we need money for drugs"?

11 A. Not just drugs. Just money.

12 Q. And so you remember meeting with Mr. Muller? He's behind
13 me. I don't know if you can see him.

14 A. Uh-huh, yeah.

15 Q. And he wanted you to tell him the truth, and he recorded
16 everything; correct?

17 A. Yeah.

18 Q. You never told him that you would ask for money for drugs,
19 did you?

20 A. Did I say "you"? I said "me"?

21 Q. Yeah. You did? Did you tell him that? Did you say, "we"
22 collectively? The group would ask him for money for drugs?
23 The rest of us? All of us? One of us? You never mentioned
24 that, did you?

25 A. I can't remember because that was a while too.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. Do you remember when you spoke to --

2 A. Yes, I do remember I spoke to him. I don't remember
3 everything I -- all right.

4 Q. Okay. Now, would you say that your grandmother allowed
5 you to drink?

6 A. No, she didn't.

7 Q. You would come home drunk?

8 A. Yeah.

9 Q. And would she confront you as to where you had been and
10 how --

11 A. She's usually in bed.

12 Q. So she never saw you drunk?

13 A. No.

14 Q. And how many times would you say that you got intoxicated
15 at Dr. Weber's house?

16 A. There was a few times. I don't know.

17 Q. More than ten or less than ten?

18 A. I don't know.

19 Q. And when you were there drinking, were the other
20 individuals that we described as being part of the group, were
21 they there too?

22 A. Yeah, they were always there.

23 Q. And were they getting drunk as well?

24 A. Yes.

25 Q. Now, you said that you saw Dr. Weber intoxicated?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Yes.

2 Q. About how many times would you say?

3 A. I don't know.

4 Q. More than ten or less than ten? We could use that as
5 our --

6 A. I don't know.

7 Q. Okay. Now, how long had you been going there when this
8 first incident you describe occurred?

9 A. I don't know.

10 Q. I'm sorry?

11 A. I don't know. I can't remember how long it was before
12 then.

13 Q. Sure. Had you been going there for, say, more than ten
14 times?

15 A. Probably more, yeah, maybe.

16 Q. Had any of your friends -- because you had always been
17 with friends; correct?

18 A. Yeah.

19 Q. Had they ever said to you that anything like that happened
20 to them?

21 A. No.

22 Q. Had any of them ever warned you not to go there?

23 A. No.

24 Q. Had any of them said, "Hey, look, we can go there but
25 never be there alone. You don't want to stay there alone. You

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 need to come with us"? Nothing like that; right?

2 A. No.

3 Q. And so I get it right, you were there that night. And had
4 you -- and I'm talking about the first incident. Are you with
5 me?

6 A. Yes.

7 Q. Had you been drinking that night?

8 A. No.

9 Q. And you were about 16 at that time, or were you still 15?

10 A. Shit, I don't remember.

11 Q. You could have been 16?

12 A. Yeah, could have been 12. I don't know.

13 Q. All right.

14 A. I don't know. I can't -- like -- this shit is a hard
15 thing to talk about and something I don't want to remember.
16 Like, I'm surprised this shit even came up.

17 Q. No, I understand.

18 And so we can put that in perspective, you had never
19 reported this to anyone; correct?

20 A. No.

21 Q. And they came to you?

22 A. Yes.

23 Q. And you didn't want to talk about this; correct?

24 A. No.

25 Q. And you can't remember, as you sit there, if it occurred

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 when you were 12 or when you were 16; correct?

2 A. Yeah.

3 Q. And so we're clear, you were asleep, and he walks in;
4 correct?

5 A. The first time, no.

6 Q. You were --

7 A. I was playing a video game when he came in. He came in
8 drunk.

9 Q. And where were the other kids?

10 A. They just left. They had to go home.

11 Q. And why didn't you leave?

12 A. Just stayed and played a video game.

13 Q. Were you planning to spend the night there?

14 A. Actually, yeah, I was going to crash on the couch.

15 Q. And would that have been the first time you ever --

16 A. Yeah.

17 Q. -- slept there?

18 A. No, I think I stayed there before.

19 Q. Why had you decided, if you hadn't been drinking, that you
20 were going to stay the night that night? Do you know?

21 A. I had a longer walk than my friends did. They just lived
22 down the road. His house is like -- I don't know, a couple
23 hundred yards from their place.

24 Q. How far would you have had to walk?

25 A. I had to walk close to a mile, I think it was.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. And was this in the summer? The winter?

2 A. It was in summer.

3 Q. Okay. So you weren't in school. Am I right?

4 A. Yeah.

5 Q. So he walks in, and you have a conversation; correct?

6 A. Yeah.

7 Q. And so we're clear, you didn't see him touch his penis;
8 correct?

9 A. No.

10 Q. You didn't see him unbuckle his pants; correct?

11 A. No.

12 Q. And you saw his hands, but they never touched his pants,
13 did they?

14 A. Yeah, they were on his pants.

15 Q. And were they -- I'm going to put my hand on my belt.

16 Were they like this? (Indicating.)

17 A. No.

18 Q. Did they open? (Indicating.)

19 A. No.

20 Q. And --

21 A. They -- his hands were by the zipper part like he
22 was going to --

23 Q. Like this? (Indicating.)

24 A. Yeah.

25 Q. Never touched the zipper, did he?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. I wasn't too sure.

2 Q. So you can't say to the juror, yes, he touched the zipper.
3 You can only say, "I'm not too sure." Correct?

4 A. I can say he had his hand there, though.

5 Q. Like my hand is right now? (Indicating.) Is that fair?

6 A. Yeah.

7 Q. Okay. So the record's clear, I have my hand down, and
8 it's below my belt. Is that fair?

9 A. Yeah.

10 Q. And I'm about three inches from my pants.

11 And was he standing there like this? (Indicating.)

12 A. Yeah.

13 Q. Was his left hand down to the side like I am?
14 (Indicating.)

15 A. Yeah.

16 Q. And so he begins the conversation by saying, "Hi. How are
17 you? What's going on?"

18 A. Yeah.

19 Q. And then he says what? What were his exact words that you
20 recall?

21 A. Um -- um, it was -- shit. I don't know.

22 Q. If you don't remember, tell me.

23 A. I remember. It's just --

24 Q. Okay. So tell me what were his exact words, sir.

25 A. "Would you give me a blow job?"

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. Okay. And what did you say?

2 A. I said, "Fuck that." And I got up and walked out.

3 Q. And did he stop you in any way?

4 A. Uh-uh.

5 Q. You have to answer out loud for us.

6 A. No.

7 Q. Had he ever suggested anything to you sexually before
8 that?

9 A. No, not that I can remember.

10 Q. Had he ever touched you before that?

11 A. No, not that I can remember.

12 Q. Had you ever seen him touch any of the other boys in any
13 way, shape, or form before that?

14 A. No.

15 Q. And if I said to you that prior to this occasion you had
16 been to that house 20 times, would you agree?

17 A. I don't know. Like I said, I can't remember.

18 Q. Okay. Now, you were upset by that incident; correct?

19 A. Yes.

20 Q. And, obviously, you hadn't done anything wrong; correct?

21 A. I don't know. You tell me. Is that wrong?

22 Q. Well, I mean, in terms of what you did that day. You
23 hadn't done anything, had you?

24 A. I don't know. Shit. Should I have done something?

25 Q. Here's my question --

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. What do you think?

2 Q. Well --

3 A. What would make him do that to me?

4 Q. Here's my question. I'm not saying you did anything
5 wrong.

6 A. No. No.

7 Q. But here's my question --

8 A. Well, did I do something wrong?

9 Q. Let me ask you this: So --

10 A. No. No. Don't ask me no questions.

11 Q. So we're clear --

12 A. No. No. I'm done answering your fucking questions.

13 THE COURT: Hold on.

14 BY MR. STEINBERG:

15 Q. You won't answer any of my questions any further? Are you
16 refusing?

17 THE COURT: Mr. Steinberg.

18 MR. STEINBERG: Yes, sir.

19 THE COURT: Stop for a minute.

20 MR. STEINBERG: Yes, sir.

21 THE COURT: All right.

22 Mr. Running Crane, take a second to compose yourself,
23 sir. We're almost finished with this process. Answer a few
24 more questions, and you'll get this done. Take a deep breath.
25 Let me know when you are ready to go.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Focus on Mr. Steinberg. Don't worry about anybody
2 else in the courtroom.

3 (Complying. Witness drinking water.)

4 THE COURT: Ready to go, Mr. Running Crane?

5 THE WITNESS: No.

6 THE COURT: All right. Why don't we take a
7 five-minute recess. We'll be right back, members of the jury.

8 (Jury leave courtroom.)

9 THE COURT: Please be seated.

10 Mr. Running Crane, you can step down. We're going to
11 take a break. We'll be in recess.

12 (Proceedings in recess from 9:53 a.m. until 10:02 a.m.)

13 (Open court.)

14 (Defendant present.)

15 (Jury not present.)

16 THE COURT: Please be seated.

17 Mr. Running Crane, come up, please.

18 (Witness takes the stand.)

19 THE COURT: Ready to go, sir?

20 THE WITNESS: Yeah.

21 THE COURT: Okay. Thank you.

22 All right. Mr. Steinberg, ready to continue
23 cross-examination?

24 MR. STEINBERG: Yes, sir.

25 THE COURT: Come to the lectern.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Madam Clerk, bring in the jury, please.

2 (Jury present.)

3 THE COURT: Please be seated.

4 Welcome back, members of the jury. We're ready to
5 continue.

6 Go ahead, Mr. Steinberg, please.

7 MR. STEINBERG: Thank you, sir.

8 BY MR. STEINBERG:

9 Q. After that first event -- and you've described it -- am I
10 right that you told your friends, "Hey, this guy is trouble.
11 I'm not going back. I'm never going there again"?

12 A. No. That was after the second time.

13 Q. After the first event, did you tell any of your friends
14 what he tried to do to you?

15 A. No.

16 Q. Did you ask any of your friends if anything similar had
17 happened to them?

18 A. I think after the second time.

19 Q. Okay. But not after the first time?

20 A. No.

21 Q. So after the second time, are you saying that you did ask
22 somebody if something like that had happened?

23 A. I think my friends asked me.

24 Q. Who?

25 A. I can't remember. Someone did.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. Okay. Now, in terms of the second event, were you
2 intoxicated?

3 A. Yeah.

4 Q. And had you been doing drugs that day as well?

5 A. No.

6 Q. Were you doing drugs regularly during that time frame?

7 A. Pretty much.

8 Q. And was it mainly cocaine?

9 A. Mainly marijuana.

10 Q. Okay. And how often cocaine?

11 A. That was just once in a while.

12 Q. All right. Now, the second event, on a scale of one to
13 ten, ten being drunkest you've ever been, were you an eight?
14 Nine? Seven? Where were you?

15 A. I don't know. Drunk enough to pass out.

16 Q. Okay. So in terms of the second event, you were literally
17 passed out because you drank so much. Is that fair?

18 A. Yeah, I guess.

19 Q. And then, as I understand it, you wake up in this drunken
20 state and describe what you described to the jury; correct?

21 A. Yeah.

22 Q. And no attempt that you've described was there to open
23 your pants or anything like that; correct?

24 A. My pants were unbuttoned.

25 Q. Oh, they were unbuttoned? Because I thought you told the

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 jury that he was rubbing on top of your pants?

2 A. Yes. But my pants were unbuttoned. I don't know if he
3 was just starting -- I don't know.

4 Q. What kind of pants were you wearing? Do you remember?

5 A. I already told you that.

6 Q. I don't remember. What was it?

7 A. I don't remember either.

8 Q. Well, were they long pants? Were they short pants? Do
9 you remember?

10 A. They were trunks.

11 Q. Swimming trunks?

12 A. Jean trunks.

13 Q. Okay. And did they have a fly that he buttons, or did
14 they have a zipper fly?

15 A. They had a zipper.

16 Q. Was the zipper down?

17 A. No.

18 Q. Were they pulled down at all, or was just the top button
19 unbuttoned? Do you remember?

20 A. They were just unbuttoned.

21 Q. Just the top button?

22 A. Yep. The only button.

23 Q. Okay. And as I understand your testimony, then, you wake
24 up and his hand is on your penis; correct?

25 A. Yeah.

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 Q. And you think you were 16, or do you know?

2 A. I don't know. Quit asking me.

3 Q. Okay. And you weighed 215 pounds; correct?

4 MR. STARNES: Objection. Asked and answered.

5 THE COURT: Move on, Mr. Steinberg. Let's go.

6 You've asked him this several times.

7 BY MR. STEINBERG:

8 Q. You were a big guy at that time?

9 A. Yeah.

10 Q. Did you knock his hand away?

11 A. No.

12 Q. Did you say anything to him?

13 A. No.

14 Q. Did he say anything to you?

15 A. No.

16 Q. And you cover yourself up and then you leave; correct?

17 A. I covered myself up, then he leaves -- or actually stood
18 there for a minute.

19 Q. Okay. And, obviously, since you are covered up, you can't
20 see him; correct?

21 A. No.

22 Q. And then you leave?

23 A. What do you mean?

24 Q. Well, do you leave his place, or do you stay there? What
25 happens?

GILBERT JAMES RUNNING CRANE - CROSS-EXAMINATION BY MR. STEINBERG

1 A. Well, you heard what I told the other guy; right?

2 Q. Sorry. I have to ask you. Do you leave, or do you stay?

3 A. I leave.

4 Q. Okay. Do you say anything to him?

5 A. No.

6 Q. And do you go home?

7 A. No.

8 Q. Where do you go?

9 A. I just walk around.

10 Q. All night?

11 A. Yeah.

12 Q. And do you have an idea what time of day it was?

13 A. No, I don't.

14 Q. And --

15 A. It was dark.

16 Q. Were you still drunk?

17 A. No, not really.

18 Q. And how long, if you know, had you been passed out before
19 you were awoken?

20 A. I don't know.

21 Q. And the other guys, I think you said, had just left before
22 he got home?

23 A. I'm not going to explain that again.

24 Q. The other guys had left how long before he got home?

25 MR. STARNES: Objection. Asked and answered.

GILBERT JAMES RUNNING CRANE - REDIRECT EXAMINATION BY MR. STARNES

1 MR. STEINBERG: Not on cross.

2 THE COURT: Overruled. Go ahead.

3 BY MR. STEINBERG:

4 Q. How long before he got home did the other people leave?

5 A. I don't know.

6 Q. Are you going to say "I don't know" to the rest of my
7 questions?

8 A. I don't know.

9 Q. I have nothing further. Thank you.

10 THE COURT: Redirect, Mr. Starnes.

11 (Off-the-record discussion between Mr. Starnes and
12 Ms. Suek.)

13 MR. STARNES: Briefly, Your Honor. Thank you.

14 REDIRECT EXAMINATION

15 BY MR. STARNES:

16 Q. James, I understand that in response to many of the
17 questions you have been asked by both myself and defense
18 counsel you say you don't remember.

19 How do you remember that Dr. Weber asked you for oral
20 sex?

21 A. I was sober then.

22 Q. How do you remember that Dr. Weber touched your penis
23 while you were sleeping on the couch and woke up to it?

24 A. Because I woke up and seen him.

25 Q. Thank you. No further questions.

GILBERT JAMES RUNNING CRANE - REDIRECT EXAMINATION BY MR. STARNES

1 THE COURT: Is the witness excused?

2 MR. STARNES: Yes, please, Your Honor.

3 THE COURT: You may step down. Thank you, sir.

4 (Whereupon the trial continued.)

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REPORTER'S CERTIFICATE

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I, Yvette Heinze, a Registered Professional Reporter and Certified Shorthand Reporter, certify that the foregoing transcript is a true and correct record of the proceedings given at the time and place hereinbefore mentioned; that the proceedings were reported by me in machine shorthand and thereafter reduced to typewriting using computer-assisted transcription; that after being reduced to typewriting, a certified copy of this transcript will be filed electronically with the Court.

I further certify that I am not attorney for, nor employed by, nor related to any of the parties or attorneys to this action, nor financially interested in this action.

IN WITNESS WHEREOF, I have set my hand at Great Falls, Montana, this 25th day of September, 2018.

/s/ Yvette Heinze

Yvette Heinze
United States Court Reporter